

Title 14

WATER RECREATION FACILITIES*

* **Note to Title 14.** For administrative rules relevant to this title, look for a following "R" title of the same number.

To the extent that the administrative rules are inconsistent with the provisions of Title 14, the administrative rules are superseded.

Chapter 14.04

GENERAL PROVISIONS

14.04.005 Title.

The rules and regulations set out in this title may be cited and referred to, and shall be known as the "King County Water Recreation Facility Code" and may be so cited, and is referred to herein as "this title."

(R&R 58 §(part), 5-11-89)

14.04.010 Purpose and policy declared.

A. This title is enacted as an exercise of the police power of the county to protect and preserve the public peace, health, safety, and welfare. Its provisions shall be liberally construed for the accomplishment of these purposes.

B. It is expressly the purpose of this title to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this title.

C. It is the specific intent of this title to place the obligation of complying with its requirements upon the owner or operator of each water recreation facility within its scope, and no provision of nor term used in this title is intended to impose any duty whatsoever upon the county or any of its officers or employees, for whom the implementation or enforcement of this title shall be discretionary and not mandatory.

D. Nothing contained in this title is intended to be nor shall be construed to create or form the basis for any liability on the part of the county, or its officers, employees or agents, for any injury or damage resulting from the failure of the owner or operator of a water recreational facility to comply with the provisions of this title, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this title on the part of the county by its officers, employees or agents.

(R&R 58 §(part), 5-11-89)

14.04.015 Adoption of RCW 70.90, Chapter 248-98 WAC and Board of Health amendments.

RCW 70.90 (Water Recreation Facilities) and rules and regulations of the state Board of Health, Chapter 248-98 WAC (Safety, Sanitation and Water Quality of Water Recreation Facilities) are adopted by reference.
(R&R 58 §(part), 5-11-89)

14.04.020 Adoption of RCW 70.90.20, Chapter 248-98 WAC and Board of Health amendment.

RCW 70.90.20 and rules and regulations of the state Board of Health Governing Safety, Sanitation and Water Quality of Water Recreation Facilities, Chapter 248-98 WAC, together with Board of Health amendments as adopted by this title shall constitute the Water Recreation Facility Code of the King County Board of Health.
(R&R 58 §(part), 5-11-89)

14.04.025 Water recreation facility code.

This title shall constitute the Water Recreation Facility Code of King County. This title is adopted under the authority of RCW 70.90.125 (regulation of local boards of health).
(R&R 58 § (part), 5-11-89)

14.04.030 Additions to 248-98 WAC.

In addition to the provisions of 248-98 WAC, the following will apply:

A. The hydrotherapy pump and air blower shall be connected to a maximum fifteen (15) minute time switch located no closer than ten (10) feet from the spa water's edge.

B. The dimensions for swimming pools constructed prior to this code shall conform to requirements A-1 through A-6 established by the American Public Health Association for diving areas as shown in Appendix A.

(R&R 58 §(part), 5-11-89)

14.04.035 Prior offenses.

This title does not apply to or govern the construction of and punishment of any offense committed prior to the effective date of this title or to the construction and application of any defense to a prosecution for such an offense. Such an offense must be construed and punished according to the provisions of the law existing at the time of the commission thereof in the same manner as if this title had not been enacted.

(R&R 58 § (part), 5-11-89)

Chapter 14.08 APPLICATION

14.08.005 Application of chapter.

This chapter applies to all water recreation facilities regardless of whether ownership is public or private and regardless of whether the intended use is commercial or private, except that this chapter shall not apply to:

- A. Any water recreation facility for the sole use of residents and invited guests at a single-family dwelling;
 - B. Therapeutic water facilities operated exclusively for physical therapy; and
 - C. Steam baths and saunas.
- (R&R 58 §(part), 5-11-89)

14.08.010 Modification or construction of facility--Permit required--Submission of plans.

A permit is required for any modification to or construction of any water recreation facility. Water recreation facilities existing on July 26, 1987, which do not comply with the design and construction requirements established by the state Board of Health under Chapter 248.98 WAC may continue to operate without modification to or replacement of the existing physical plant, provided the water quality, sanitation, and lifesaving equipment are in compliance with the requirements established under this chapter. However, if any modifications are made to the physical plant of an existing water recreation facility the modifications shall comply with the requirements established under this chapter. The plans and specifications for the modification or construction shall be submitted to the department. The plans shall be reviewed and may be approved or rejected or modifications or conditions imposed consistent with this chapter as the public health or safety may require, and a permit shall be issued or denied within thirty (30) days of submittal.

(R&R 58 §1(part), 5-11-89)

14.08.015 Operation permit--Renewal.

An operating permit from the department is required for each water recreation facility operated in King County. The permit shall be renewed annually. The permit shall be conspicuously displayed at the water recreation facility.

(R&R 58 §1(part), 5-11-89)

14.08.020 Permit fees.

Every applicant for a permit to do work under this code shall pay for each permit, at the time of issuance, a fee in accordance with the following schedule, and at the rate provided for each classification shown in this schedule:

A. Schedule of Fees.

[Editor's Note: Fee schedule, as amended, effective January 1, 2003]

1. Construction Permit

New water recreation facility

2,500 square feet or more	\$ 882.00 base fee	for
preoccupancy inspection and consultation costs,		payable

at the time of application, plus \$142.00 per
 hour
 for the actual time spent reviewing plans and
 specifications, payable at the time of final approval
 Less than 2,500 square feet \$ 611.00 base fee
 for
 preoccupancy inspection and consultation costs,
 payable
 at the time of application, plus \$142.00 per
 hour
 for the actual time spent reviewing plans and
 specifications, payable at the time of final approval
Renovation (including extensive
 changes in equipment, piping,
 barriers, walking surfaces,
 pool appurtenances, filtration
 equipment, mechanical equipment,
 or pool structure costing in excess
 of \$5,000.00) \$ 299.00 base fee
 for
 preoccupancy inspection and consultation costs,
 payable
 at the time of application, plus \$142.00 per
 hour
 for the actual time spent reviewing plans and
 specifications, payable at the time of final approval
Alteration (including change
 in equipment, piping, barriers,
 walking surfaces, pool appurtenances,
 filtration equipment, pumps,
 mechanical equipment, or pool
 structures costing \$5,000 or less) . . . \$ 256.00 base fee
 for
 preoccupancy inspection and consultation costs,
 payable
 at the time of application, plus \$142.00 per
 hour
 for the actual time spent reviewing plans and
 specifications, payable at the time of final approval
Plan Re-submittal \$ 142.00 per hour
 for the actual time spent
 reviewing plans and specifications,
 payable at the time of final approval
2. Operating Permit.
 Water recreation facility (WRF) \$ 421.00
 Additional WRF operated by same
 person at same location \$ 285.00
3. Miscellaneous Fees.
 After hours inspection requested
 by water recreation facility owner Cost of Service
 Reinspection fee One-half the
 applicable annual
 permit fee
 Reinstatement of permit
 after suspension Applicable annual

	permit fee	
Preoccupancy inspection		
subsequent to the initial		
preoccupancy inspection		\$256.00

B. The fee for any initial permit to be issued under this title shall be due and payable on or before the commencement date of the operation subject to such permit. The annual permit fee shall be due on and payable on June 1st and delinquent June 10th, regardless of the dates of operation of the pool. The fee for the initial permit to operate a new pool shall be one-half (1/2) the annual fee if such permit is obtained after November 30th.

C. Any person who commenced any work for which a permit is required by this code without first having obtained such permit, shall upon subsequent application for such permit pay double the fee fixed by the above schedule of fees for such work unless it shall be proved to the satisfaction of the health officer that such work was urgently necessary and that it was not practical to obtain a permit prior to the commencement of the work. In all such emergency cases, a permit shall be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining such permit, a double fee shall be charged as provided in this section.

D. Where, based on such evidence as he or she may require, the director of health finds that granting a variance from these regulations will not impair the public health and safety, he or she may grant same. The fee for review of the variance request will be three hundred dollars (\$300.00).

(R&R No. 02-03 § 1, 11-15-2002: R&R No. 01-03 § 1, 12-7-2001: R&R No. 99-10 §2(part), 11-19-99: R&R 95 §1, 12-14-93: R&R 90 §1, 12-16-92; R&R 60 §1, 12-18-90: R&R 58 §1(part), 5-11-89)

14.08.030 Enforcement.

This title shall be enforced in accordance with Chapter 1.08 of this title.
(R&R 58 §2(part), 5-11-89)